

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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| IN RE ARBITRATION OF:<br><br>DIECA COMMUNICATIONS, INC., d/b/a<br>COVAD COMMUNICATIONS COMPANY,<br><br>Petitioning Party,<br><br>vs.<br><br>QWEST CORPORATION,<br><br>Responding Party. | DOCKET NO. ARB-05-1 |
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**ORDER DOCKETING PETITION FOR ARBITRATION AND  
SCHEDULING TELEPHONE CONFERENCE**

(Issued February 11, 2005)

On January 31, 2005, Dieca Communications, Inc., d/b/a Covad Communications Company (Covad), filed a petition with the Utilities Board (Board) requesting the Board arbitrate certain terms and conditions of a proposed Interconnection Agreement between Covad and Qwest Corporation. The petition was filed pursuant to the provisions of Board rules 199 IAC 38.4(3) and 38.7(3) and § 252(b) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, Pub. L. No. 101-104, 110 Stat. 56 (1996) (hereinafter referred to as the "Act"). The petition has been identified as Docket No. ARB-05-1.

Paragraph 38.7(3)"f" of the Board's rules requires that the Board docket a petition for arbitration. Paragraph 38.7(3)"c" normally provides 25 days for a nonpetitioning party to the negotiation to file a response to the petition and paragraph 38.7(3)"g" requires the Board to schedule a conference within 15 days of receipt of the petition, to be held within 40 days of the filing of the petition. The purpose of the conference is to plan an arbitration hearing date, clarify the issues to be resolved, identify additional information needed to reach a decision on the issues, schedule production of documents and other information, discuss or rule on any other procedural matters, and consider any other matters that will expedite the arbitration process.

In compliance with the procedures established in the Board's rules, the Board is docketing the petition for arbitration, setting an accelerated date for answering of the petition, and scheduling a telephone conference. The purpose of the conference will be to discuss the matters detailed above. Board staff will contact the parties with the information to participate in the conference.

**IT IS THEREFORE ORDERED:**

1. The petition for arbitration filed by Dieca Communications, Inc., d/b/a Covad Communications Company, on January 31, 2005, is docketed for consideration by the Board.
2. A telephone conference call is scheduled for 1:30 p.m. on February 18, 2005. Board staff will contact the parties with the information necessary to participate in the conference call.

3. Responses to the petition for arbitration shall be filed on or before  
February 16, 2005.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 11<sup>th</sup> day of February, 2005.